

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-v.- :

12 Cr. 802 (KBF)

TREVOR COLE and :  
DOMINIQUE JEAN PHILLIPPE, :

Defendants. :  
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IT IS HEREBY STIPULATED AND AGREED by and among the United States of America, by Preet Bharara, United States Attorney for the Southern District of New York, Parvin Moyne and Timothy D. Sini, Assistant United States Attorneys, of counsel, Trevor Cole, the defendant, by and with the consent of his attorney, David Touger, Esq., [REDACTED]

[REDACTED], that,

the of defendant Dominique Jean Phillippe, has stated in interviews with the Government:

1. In September 2012, lived three blocks away from the female victim's apartment on Magenta Street (the "Magenta Street Apartment").
2. In the evening of Sunday, September 2, 2012,<sup>1</sup> went to the Magenta Street Apartment to bring Trevor Cole and Dominique Jean Phillippe duct tape. stayed for approximately two hours and then returned home.

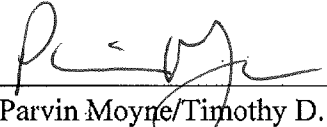
<sup>1</sup> recalls the robbery and kidnapping occurred over Labor Day weekend 2012, but does not recall the exact days. Independent evidence (including the testimony of and phone records) establishes that received this phone call on Sunday night when the robbery and kidnapping and just commenced.

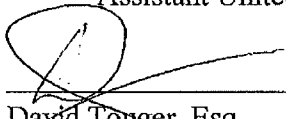
3. As it was becoming daylight on Monday morning, [redacted] went back again to the [redacted] Magenta Street Apartment with David Delva, who lived with [redacted] at the time, and [redacted] who [redacted] had told about the robbery. [redacted] and Delva stayed for about 30 minutes and then [redacted] and Delva left and returned to [redacted] apartment. [redacted] did not return to the Magenta Street Apartment again until Tuesday afternoon. He did not know whether or not David Delva went back to the Magenta Street Apartment on Monday.
4. At some point on Monday late afternoon or evening, Jean Phillippe and Cole came to [redacted] apartment for a couple of hours, and then Cole left to go back to the Magenta Street Apartment. [redacted] believes that Lisa Hylton was left at the Magenta Street Apartment to guard the female victim while Cole and Jean Phillippe were at [redacted] apartment. Delva and Jean Phillippe slept at [redacted] apartment that evening. Jean Phillippe and Delva returned to the Magenta Street Apartment the following morning (Tuesday) without [redacted]
5. On Tuesday afternoon, [redacted] went back to the Magenta Street Apartment, by which time the male victim was already tied up with duct tape (and the female victim was tied up in the bathroom). Lisa Hylton, David Delva, Trevor Cole, and Dominique Jean Phillippe were also at the Magenta Street Apartment at that time.

6. did not see anyone rape or sexually assault the female victim, and did not hear Trevor Cole, Dominique Jean Phillippe, or David Delva ever discuss a rape or sexual assault of the female victim. He also did not see anyone urinate on the female victim (or hear Cole, Jean Phillippe, or Delva discuss urinating on the female victim).

Dated: New York, New York  
January 16, 2014

PREET BHARARA  
United States Attorney for the  
Southern District of New York,  
Attorney for the United States  
of America

By:   
\_\_\_\_\_  
Parvin Moyne/Timothy D. Sini  
Assistant United States Attorneys

  
\_\_\_\_\_  
David Touger, Esq.  
Attorney for Trevor Cole

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